

# Court of Appeals, Division One

Criminal

**1 CA-CR 15-0635**

**STATE v. CARPIO**

## Appellate Case Information

Case Filed: 30-Sep-2015

Case Closed:

## Dept/Composition

### Department A

Hon. Kenton D Jones  
Hon. Patricia K Norris  
Hon. Paul J McMurdie

## Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

### Attorneys for: Appellee

Elizabeth B N Garcia, Esq. (AZ Bar No. 32209)

## Side 2. MANUEL CARPIO, Appellant

(Litigant Group) MANUEL CARPIO

- Manuel Carpio

### Attorneys for: Appellant

Nicholaus Podsiadlik, Esq. (AZ Bar No. 028885)

## CASE STATUS

Dec 30, 2016....Assigned

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2014-137941-002	Unlawful Flight from Law Enforcement Vehicle, Class 5; Disorderly Conduct, Class 6	1.5 Years; 1.5 Years	Danielle J Viola, Sentencing	JURY	

## CALENDAR

**Tuesday** MONTHLY COURT CASE CALENDAR  
**21-Feb-2017** Department A; COURTROOM 1

## 53 PROCEEDING ENTRIES

- 30-Sep-2015 FILED: Notice of Appeal from Maricopa County Superior Court filed 09/24/15. Notification sent to Court Reporters dated 09/29/2015
- 2-Oct-2015 ORDERED: Appellant shall on or before 11/02/2015, make arrangements with the court reporter to pay for the preparation of the transcript and shall promptly advise this court by letter as to arrangements. FURTHER ORDERED: If appellant believes he is entitled to proceed as an indigent, appellant shall immediately file a request in the superior court due by 11/02/2015. Anthony Mackey ProTem Judge - Author
- 3-Nov-2015 FILED: Reporter's Transcript - 06/22/2015 - (Marla Arnold)
- 5-Nov-2015 FILED: No Financial Arrangements (Kristi Week)
- 5-Nov-2015 FILED: No Financial Arrangements (Vanessa Melstrom)
- 6-Nov-2015 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: None  
Exhibits: None Sent
- 6-Nov-2015 FILED: Additional Record on Appeal  
Exhibits:  
Hearing Date 6/08/2015 List # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35  
36 37 38 41 in a manila envelope  
Sealed Items:  
Confidential Criminal History Addendum in Sealed Manila Envelope
- 8-Nov-2015 FILED: Reporters Transcript - 06/11/2015 - (Lydia Estrada -Gray)

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9.	10-Nov-2015	FILED: Affidavit of No Financial Arrangements
10.	12-Nov-2015	Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Transcripts due 12/28/15. Anthony Mackey ProTem Judge - Author
11.	13-Nov-2015	FILED: Courtesy Copy of Designation of Record for Appeal Filed in Superior Court (Appellant)
12.	17-Nov-2015	FILED: Reporters Transcript - 09/04/2015 - (Marla Arnold)
13.	20-Nov-2015	FILED: Supplemented Superior Court e-Record with Revised Index of Record
14.	4-Dec-2015	FILED: Reporter's Transcript- 06/08/2015 -Trial-(Michael Babicky)
15.	28-Dec-2015	FILED: Reporters Transcript - 06/10/2015 - (Vanessa Melstrom)
16.	29-Dec-2015	FILED: Reporters Transcript - 06/11/2015 - (Kristi Week)
17.	3-Jan-2016	FILED: Reporter's Transcript - 6/16/2015 - Verdict (Helene Paustian)
18.	3-Jan-2016	FILED: Reporter's Transcript - 06/16/2015 (Crystal Hereford)
19.	4-Jan-2016	FILED: Notice of Completion of Record
20.	2-Feb-2016	FILED: Motion to Supplement the Record and Request for Extension of Time to File the Opening Brief; Certificate of Service (Appellant)
21.	8-Feb-2016	ORDERED: Motion to Supplement the Record (Appellant) = GRANTED/Transcripts due 03/04/16. FURTHER ORDERED: Request for Extension of Time to File the Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 02-18-2016 to Monday, 04-04-2016. Anthony Mackey ProTem Judge - Author
22.	17-Mar-2016	ORDERED: Court Reporter Michael Babicky transcript of proceedings held 06/08/2015 past due. OSC set for 04/06/16. FURTHER ORDERED: Opening Brief due date EXTENDED to 05/04/16. Hon Samuel A Thumma - Author
23.	17-Mar-2016	ORDERED: Court Reporter Karen Dawson transcript of proceedings held 03/09/15 past due. OSC set for 04/06/16. Hon Samuel A Thumma - Author
24.	28-Mar-2016	FILED: Reporter's Transcript - 06/08/15 - Trial (Michael Babicky)
25.	6-Apr-2016	ORDERED: Court Reporter Karen Dawson due date EXTENDED from Friday, 03-04-2016 to Wednesday, 04-13-2016 for transcript of proceedings held on 03/09/2015 or OSC 04/20/2016. Hon Samuel A Thumma - Author
26.	13-Apr-2016	FILED: Reporters Transcript (03/09/15 [Karen Dawson])
27.	21-Apr-2016	FILED: Motion to Compel Court Reporter to Produce Transcript and Request for Extension of Time to File the Opening Brief; Certificate of Service (Appellant)
28.	26-Apr-2016	ORDERED: Motion to Compel Court Reporter to Produce Transcript (Appellant) = GRANTED/Court Reporter Michael Babicky transcript dated 06/08/2015 from 10:47am to 11:01am due 05/12/2016 or OSC 05/18/2016. FURTHER ORDERED: Request for Extension of Time to File the Opening Brief = GRANTED/ Due date EXTENDED from Wednesday, 05-04-2016 to Friday, 06-10-2016. Anthony Mackey ProTem Judge - Author
29.	27-Apr-2016	FILED: Notice of Appearance; Certificate of Service (Appellant)
30.	29-Apr-2016	FILED: Reporter's Transcript - 06/08/2015 - Trial (Michael Babicky)
31.	10-May-2016	FILED: Motion to Compel or Show Cause; Motion to Extend Deadlines; Certificate of Service (Appellant)
32.	10-May-2016	FILED: Motion to Supplement the Record; Request to Extend Time to File Opening Brief; Certificate of Service (Appellant)
33.	17-May-2016	ORDERED: Motion to Supplement the Record (Appellant) = GRANTED/Transcript due 06/03/2016. FURTHER ORDERED: Request to Extend Time to File Opening Brief = GRANTED/Due date EXTENDED from Friday, 06-10-2016 to Tuesday, 07-05-2016. Anthony Mackey ProTem Judge - Author

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34. 18-May-2016 ORDERED: Motion to Compel Or Show Cause (Appellant) = DENIED. FURTHER ORDERED: Motion to Extend Deadlines = DENIED. Anthony Mackey ProTem Judge - Author
35. 19-May-2016 FILED: Motion to Remand to Trial Court for Reconstruction of the Record; Certificate of Service (Appellant)
36. 24-May-2016 ORDERED: Motion to Remand to Trial Court for Reconstruction of the Record (Appellant) = GRANTED/Staying this appeal to/including 06/23/2016, and revesting jurisdiction in the Superior Court of Maricopa County. FURTHER ORDERED: Superior Court shall rule on and settle the record in furtherance of this appeal. FURTHER ORDERED: Superior Court shall transmit a certified copy of its written findings and/or the reconstructed materials within five days after entry due 06/24/2016. FURTHER ORDERED: This appeal shall be automatically reinstated on 06/24/2016. FURTHER ORDERED: Extending time for filing the opening brief to 07/22/2016. Anthony Mackey ProTem Judge - Author
37. 27-Jun-2016 FILED: Motion to Update Index of Record; Certificate of Service (Appellant)
38. 27-Jun-2016 FILED: Notice of Pending Supplementation; Certificate of Service (Appellant)
39. 28-Jun-2016 FILED: Reporter's Transcripts - 06/08/2015 - Trial (Michael Babicky)
40. 7-Jul-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes copy of transcripts filed directly with COA1 previously)
41. 11-Jul-2016 ORDERED: Motion to Update Index of Record (Appellant) = DENIED/Without prejudice to refile a motion if the index of record is not updated. Anthony Mackey ProTem Judge - Author
42. 12-Jul-2016 FILED: Motion to Compel or Show Cause; Motion to Extend Deadlines; Certificate of Service (Appellant)
43. 18-Jul-2016 FILED: Reporter's Transcript - 06/08/2015 - Trial (Michael Babicky)
44. 18-Jul-2016 ORDERED: Motion to Compel Or Show Cause (Appellant) = GRANTED/Court Reporter Michael Babicky transcript dated 06/08/2015 due 08/15/2016 or OSC 08/17/2016. FURTHER ORDERED: Motion to Extend Deadlines (Opening Brief) = GRANTED/Due date EXTENDED from Friday, 07-22-2016 to Thursday, 09-15-2016. Anthony Mackey ProTem Judge - Author
45. 27-Jul-2016 FILED: Reporter's Transcript - 06/08/2015 - Jury Selection (Michael Babicky)
46. 15-Sep-2016 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
47. 26-Sep-2016 FILED: Notice of Appearance; Certificate of Service (Appellee)
48. 26-Oct-2016 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service; Appendices in Support of the Appellee's Answering Brief (Appellee)
49. 22-Nov-2016 ORDERED: Reply brief due date EXTENDED from Monday, 11-21-2016 to Monday, 12-12-2016. Fred Cole ProTem Judge - Author
50. 29-Nov-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
51. 9-Dec-2016 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
52. 9-Dec-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
53. 30-Dec-2016 CLNDR: CONFERENCE, Department A, 2-21-17, COURTROOM 1.